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\*\*E-Filed 5/6/2010\*\*

Attorneys for Defendant  
GRUMA CORPORATION dba MISSION FOODS

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

NICOLAS ROSNER, an individual,

Plaintiff,

v.

MISSION FOODS CORP., an unknown  
business entity; GRUMA CORPORATION, a  
Nevada business entity doing business in  
California; DOES 1 to 10, business entit(ies),  
form(s) unknown; DOES 11-20, individual(s);  
and DOES 21-30, inclusive,

Defendants.

Case No. 5:09-cv-04402-JF

**STIPULATION TO CONTINUE 5-7-2010**  
**CASE MANAGEMENT CONFERENCE**  
**DUE TO SETTLEMENT OF ACTION;**  
**[PROPOSED] ORDER**

1 IT IS HEREBY STIPULATED by and between Plaintiff Nicholas Rosner ("Rosner") and  
 2 Defendant Gruma Corporation ("Gruma"), and their respective counsels of record, that the  
 3 following Stipulation may be entered to give effect to the stipulations set forth below pursuant to  
 4 Civil L.R. 16-2(e).

5 WHEREAS, pursuant to the Court's March 5, 2010 Order (Docket No. 26), a Further Case  
 6 Management Conference in this action is currently scheduled for May 7, 2010 at 10:30 a.m.;

7 WHEREAS, the parties have reached an agreement regarding settlement of this action, but  
 8 require additional time to finalize a written settlement agreement before requesting dismissal;

9 WHEREAS, neither Rosner nor Gruma would be prejudiced by a continuance of the May 7,  
 10 2010 Further Case Management Conference;

11 IT IS THEREFORE STIPULATED by and between Rosner and Gruma that the Court  
 12 should continue the May 7, 2010 Case Management Conference to a date that is convenient for the  
 13 Court but is not earlier than July 6, 2010.

14 IT IS SO STIPULATED ON THE DATES INDICATED BELOW.

15 DATED: May 5, 2010

OGLETREE, DEAKINS, NASH, SMOAK &  
 STEWART, P.C.

16  
 17  
 18 By: /s/ 

Christopher M. Ahearn  
 Attorneys for Defendant  
 GRUMA CORPORATION dba MISSION  
 FOODS

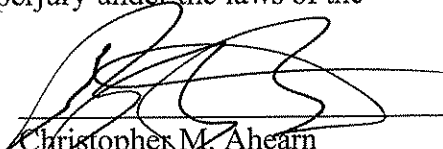
21  
 22 UNITED EMPLOYEES LAW GROUP

23  
 24 By: /s/ 

Gregory Douglas  
 Attorneys for Plaintiff  
 NICOLAS ROSNER

1 ATTESTATION PER GENERAL ORDER NO. 45.X.B.

2 Concurrence in the filing of this document has been obtained from each of the signatories  
3 listed above. Attested to on May 5, 2010 under penalty of perjury under the laws of the  
4 United States.

5   
Christopher M. Ahearn


6  
7 **PROPOSED ORDER**

8 Having reviewed the foregoing Stipulation by Plaintiff Nicholas Rosner and Defendant  
9 Gruma Corporation, and GOOD CAUSE APPEARING for the requested relief, it is hereby  
10 ORDERED that:

11 The Case Management Conference in this action currently scheduled for May 7, 2010 at  
12 10:30 a.m. is continued to July 9, 2010 at 10 : 30 a.m.

13 **IT IS SO ORDERED**

14 Dated: May 6, 2010

15   
16 HON. JEREMY FOGEL  
UNITED STATES DISTRICT JUDGE

1 IT IS HEREBY STIPULATED by and between Plaintiff Nicholas Rosner ("Rosner") and  
 2 Defendant Gruma Corporation ("Gruma"), and their respective counsels of record, that the  
 3 following Stipulation may be entered to give effect to the stipulations set forth below pursuant to  
 4 Civil L.R. 16-2(e).

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15 DATED: May 5, 2010

OGLETREE, DEAKINS, NASH, SMOAK &  
 STEWART, P.C.

16  
 17  
 18 By: /S/  
 19 Christopher M. Ahearn  
 20 Attorneys for Defendant  
 GRUMA CORPORATION dba MISSION  
 FOODS

21  
 22 UNITED EMPLOYEES LAW GROUP

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 24 By: /S/ Gregory Douglas  
 25 Gregory Douglas  
 26 Attorneys for Plaintiff  
 27 NICOLAS ROSNER